

House Bill 1267

By: Representatives Weldon of the 3rd, Buckner of the 130th, Burkhalter of the 50th, Martin of the 47th, Neal of the 1st, and others

A BILL TO BE ENTITLED
AN ACT

To amend Article 3 of Chapter 12 of Title 51 of the Official Code of Georgia Annotated, relating to damages for conversion of timber, so as to change the penalty for converting timber; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 3 of Chapter 12 of Title 51 of the Official Code of Georgia Annotated, relating to damages for conversion of timber, is amended by revising Code Section 51-12-50, relating to measure of damages for converted timber, as follows:

"51-12-50.

Except as provided in Code Section 51-12-51, where plaintiff recovers for timber cut and carried away, the measure of damage:

(1) Where defendant is a willful trespasser, is three times the full value of the property at the time and place of demand or when an action is brought without deduction for his or her labor or expense, punitive damages, and the injured party's attorney's fees;

(2) Where defendant is an unintentional or innocent trespasser or an innocent purchaser from such trespasser, is three times the value at the time of conversion less the value he or she or his or her vender added to the property and the injured party's attorney's fees; and

(3) Where defendant is a purchaser without notice from a willful trespasser, is the value at the time of his or her purchase and the injured party's attorney's fees."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.